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SUBJECT: RELIGIOUS FREEDOM ROUND-UP: SE TURKEY

11. (U) Summary: Members of the Protestant, Catholic and Muslim communities in various cities in southeast Turkey report that they are able to worship freely, but that the state continues to restrict some aspects of their religious life. A Diyarbakir pastor's acquittal last May on charges of worshiping in an "illegal church" did not address the church's equally pressing problem, a lack of legal status. Religious groups attempting to gain legal status or regain lost properties continue to face incommensurate bureaucratic processes. In Adana, a representative of that city's Jewish community, however, says that community's biggest problem is its dwindling size in the region due to emigration and self-selection, not "government problems." End Summary.

Protestants in Diyarbakir: no legal status

12. (SBU) The pastor of a Protestant church in Diyarbakir told poloff in a September 3 meeting that his congregation of approximately 60 members was able to worship freely, and was not currently experiencing any harassment. At a May 2004 hearing, he said, he had been acquitted of charges that he was operating a church in an unauthorized building. In handing down that decision, the judge cited a 1996 European Human Rights Court precedent stating that sentencing someone for using a house as a place of worship without government permission is a violation of Article 9 of the European Human Rights Accord. (Note: In an August meeting with poloff, a public prosecutor in Diyarbakir asserted that the decision is an example of progress in the area of religious freedom.)

13. (SBU) While the pastor welcomed the May decision that allowed him to keep using the property for religious instruction and worship, he is not completely satisfied as he and his worshipers still do not have any legal status as a church. They cannot legally hire any employee (such as a pastor) nor provide benefits, for example. Moreover, they cannot own the property in the church's name. The building they are using as a church also serves as the pastor's home. If he should die, he asks, how could he make sure it stays in the hands of his congregation? The church does not receive state assistance for electricity and water, as some other faith groups with legal status do, nor does it have any space specifically allocated for use as a cemetery for the community, he said.

14. (SBU) According to this pastor, groups wishing to form new foundations must have at least one trillion TL (approximately USD 665,000) before applying. (Note: Post has not yet been able to confirm this independently. End Note.) Only one Protestant foundation, he said, the Istanbul-based Bostanci Vakfi, was formed prior to the establishment of that requirement. The pastor said that there are approximately 70 churches dealing with the same lack of legal status issue, and that representatives of Protestant churches have formed a legal commission that has been meeting in Izmir on and off for two months to determine how to move forward. At this time they are considering their best option to be forming an association (dernek). It would be based in Ankara; there would be a number of board members there and the churches would function like a federation. He will keep us posted as they move forward in this process.

Catholic community in Mersin

15. (SBU) A Catholic priest in Mersin who has been in Turkey for 41 years (about 35 of them in Mersin) said that the church was trying to form a foundation in order to be able to get title and compensation for lost lands. He said that the church, which is located adjacent to the Mersin Security Director's office and municipality building, had lost its property (including its cemetery) over the last few decades as Mersin grew, because its properties were untitled by government decision and located in growing urban areas. The property in Catholic Church use now was limited to the church itself, an adjacent house and an adjacent additional building. He said that the church had been allowed land in a municipal cemetery when its dedicated cemetery was lost and that it is "protected and respected" by authorities.

16. (SBU) He was not optimistic that the foundation would make much headway and said that "the Turks do not have a concept of reciprocity or give-and-take," stressing that he did not mean that pejoratively, just that it was not their custom. Without

explicit, detailed agreements to restore individual laws, he doubted that many religious institutions, regardless of faith, would make progress because of institutional resistance and Diyanet suspicion.

17. (SBU) He noted that the congregation was about 600-strong, healthy, had had about 60 converts in recent years and is largely self-supporting. He said that security officials were allowing Christians in Mersin to have their religion revised on their identity cards as "Christian" vice the automatic "Muslim" entry recorded at hospitals, once church baptismal records confirmed the Christian's petition for revision. He said that is also occurring elsewhere in the Catholic community in Adana (where it is quite small), Iskenderun (the Bishop of Anatolia's seat - others being Bishops of Istanbul and Izmir) and Antakya.

18. (SBU) The church had had little trouble receiving money from abroad, he said, adding that its difficulties were in sending funds out, and that the Papal Nuncio in Ankara had assisted them on the occasions when this had occurred. He said these financial issues were not major concerns; rather, his problems lay in having to rely only on Catholic printed material published in Istanbul, since law prevented it from entering from outside Turkey, and gaining long-term residency and/or citizenship for clergy working in Turkey. Twice, he said, his requests for citizenship had been rejected despite being in Turkey 41 years and he had only in 2003 received his first 5-year residency visa, having until then always received visas in one or two-year increments.

Freedom to veil

19. (SBU) A senior Adana AK party leader asserted to PO in an August meeting that "tolerance and freedom" are much of what AK is about. "It is so important for us," he claimed. "There is a large Sunni faithful population that feels controlled and observed and limited by the State and this is part of what is attractive about the possibility of freedom in the EU process," he explained. "Educating our women is important to us, but they want, and we want for them, the freedom to study while wearing turbans and receiving a modern education," he averred, adding, "That is why the Prime Minister's children are in the U.S., as are so many other AK Party members' female children. You care about what they are learning, not what they wear. That is also what we want." [Comment: Secular Turks disagree with this view that the turban-style headscarf is purely a religious symbol; secular Turks say Islamists use the headscarf as a political symbol. End comment.]

Adana's Jewish Community

10. (SBU) A prominent Adana Jewish leader told PO in August that the community's synagogue is safe and afforded protection by the government. Istanbul congregations had urged the community to take more physical security since last year, but the group in Adana felt that the suggested costly physical barriers would raise their profile and draw more attention than their defensive contribution might merit. He said that the synagogue had yet to receive free electricity, but also had not tried to do so. It was not an issue to him. He said that the small Jewish community here was concerned about the recent criticism of Israel by PM Erdogan and hoped that it would be an "isolated incident."

11. (SBU) He said the biggest issue was the dwindling of the small Cukurova Jewish community as youth emigrate to Istanbul or abroad. He mentioned that his nephews and nieces are in Belgium, his son in graduate school in Chicago and his daughter married and in Istanbul. He said that Jewish faith is "drying up" in Anatolia and predicted it will not last another generation, but attributed this to "self-selection, not government problems." He noted that rabbis infrequently come down to Adana from Istanbul or abroad and welcomed any American Jewish interaction from the small numbers stationed at Incirlik.

12. (SBU) Comment: There is broad room for improvement on implementation of religious freedom reforms in Turkey. With the bureaucratic obstacles that are placed in the way of some faith groups attempting to obtain legal status, the Turkish state and government send a negative message and create de facto restrictions on religious freedom. And despite the acquittal of Diyarbakir's Protestant pastor, that a case was opened against him to begin with - for holding an unauthorized gathering in an "illegal" church - is an affront to religious freedom. Finally, as for societal attitudes, the AKP party official's mention, in one breath, of tolerance and the "large Sunni faithful" should be considered side by side with the less than tolerant views of many in the Sunni community toward Alevis, Shia and other religions. End comment.

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